

STEPHEN ARNAN.

FEBRUARY 29, 1840.

Laid on the table.

Mr. RUSSELL, from the Committee of Claims, made the following

REPORT :

*The Committee of Claims, to whom the petition of Stephen Arnan was referred, praying compensation for property destroyed by fire upon his plantation, in East Florida, in consequence of setting on fire a hammock by mounted volunteers belonging to the United States army, in 1837, make the following report :*

It appears probable, from the accompanying documents, that the articles enumerated in schedule A, hereto annexed, were upon the petitioner's plantation called "McCollough," in St. John's county, in the Territory of East Florida, and were destroyed by fire in the year 1837 ; and that a party of mounted volunteers in the service of the United States, under the command of a Mr. Dupont, on a scouting excursion from the American camp, in crossing a hammock about a quarter of a mile from the petitioner's plantation, set the hammock on fire, which spread to "McCollough," and consumed the articles enumerated.

The petitioner does not state expressly upon what principle the claim for indemnity is made upon the United States ; and the committee have not been able to discover any one hitherto adopted, which would authorize its allowance. The property had not been occupied for military purposes by the order of the commanding officer of the station, nor has it been applied to the use of the United States. How far the soldiers who set the hammock on fire may be liable, personally, to the petitioner, is a question which the committee have not thought themselves called on to investigate. Losses, arising from the multiplied casualties of war, have been visited upon thousands of our fellow-citizens upon our frontier borders, and along the shores of our rivers, lakes, and bays, many of whom have been thereby reduced from affluence to poverty, and to whom no indemnity has been given ; and the facts in this case, it appears to the committee, certainly do not place the petitioner on any higher ground than the sufferers referred to.

There is no principle of national policy involved, which called for the destruction of the private property of the claimant, for the protection and safety of the whole public ; when such a case shall arise, if (in the rapid progress of prosperity which characterizes our country) it ever shall, it will doubtless receive that deliberate attention which a question so grave and important shall demand.

With these views, the committee offer for the consideration of the House the following resolution :

*Resolved, That the prayer of the petitioner ought not to be granted.*

